

GENERAL PERMIT FOR RELOCATION OF INTERMITTENT STREAMS

This general permit allows relocation of up to 500 feet of intermittent stream channel. In the case of this general permit, intermittent streams are defined as natural or man made watercourses that cease to flow for sustained periods during a normal rainfall year. Intermittent streams typically cease flow during the later summer through the fall months, although some may exhibit no flow in the channel during wetter months. Length of relocations is measured along the centerline of the channel. Relocation of intermittent streams is hereby permitted provided the activity is done in accordance with the terms and conditions below.

Exclusions

This general permit cannot be used to authorize work in the following circumstances:

- (a) when a portion of the activity is located in a component of the national wild and scenic river system, a state scenic river, or waters designated as high quality waters such as trout streams or outstanding national resource waters subject to *The Tennessee Antidegradation Statement*, Rule 1200-4-3-.06;
- (b) where the activity is likely to adversely affect wetlands;
- (c) when the activity is located in a waterway which has been identified by the Department as having contaminated sediments, and where the proposed work will likely mobilize the contaminants;
- (d) when the project will adversely affect a species formally listed on state or federal lists of threatened or endangered species; or
- (e) when an individual permit is required.

Notification

Persons proposing to relocate up to 500 linear feet of an intermittent stream channel shall apply for coverage to the Division by submission of an original, signed notification which includes the following minimum information:

- (a) a map showing the exact location of the proposed construction site; and
- (b) a single copy of construction plans which includes specifications for proposed stream channel alterations and pollution control methods or structures.

Work within the stream channel shall not commence until the Division issues written notification that the proposal may proceed in accordance with the terms of this general permit or issues an individual permit.

General Terms and Conditions

- 1) The relocation activity may only be commenced where there is no flow in the channel and where sustained flow is not likely to recur during the period of construction. Work may only commence during seasonally dry periods in the case of intermittent streams that exhibit seasonal flow, or regardless of season in the case of channels that flow only periodically.
- 2) Relocated channels must be constructed to a stable condition which replicates pre-existing conditions or returns the channel to a more natural condition in terms of channel shape, dimensions, and substrate.
- 3) Provision must be made for the conveyance of water through the watercourse during construction, utilizing the original channel or lined diversion channels, etc., to prevent pollution of the stormwater

runoff through the watercourse.

- 4) Backfill activities must be accomplished in a manner that stabilizes the streambed and banks to prevent erosion. Backfill materials shall consist of suitable materials free of contaminants. The completed work may not disrupt or impound stream flow.
- 5) Erosion and sediment control measures are required where soil will be disturbed. The control measures must be in place before earthmoving operations begin, maintained throughout the construction period and repaired, if necessary, after rainfall. Control measures such as straw bales and/or silt fence must be installed along the base of all fills and cuts, on the down hill side of stock piled soil, and along the waterbody in cleared areas to prevent movement of sediments into the waters. They must be installed parallel to the waterbody, entrenched and staked, and extend the width of the area to be cleared.
- 6) Check dams shall be utilized where runoff is concentrated. Clean rock, log, sandbag, or straw bale check dams shall be properly constructed to detain runoff and trap sediment. Clean rock is rock of various type and size, depending upon application, that contains no fines, soils, or other wastes or contaminants.
- 7) Excavated materials, construction debris, and other wastes shall be removed to an upland site and disposed in such a manner as to prevent the materials from entering the watercourse down stream of the work site.
- 8) All materials to be discharged or placed within the waterway below the ordinary high water level must be free of pollutants, contaminants, toxic materials, trash, creosote treated timbers, or other wastes as defined by T.C.A. 69-3-103(18).
- 9) Appropriate steps shall be taken to ensure that petroleum products or other chemical pollutants are prevented from entering waters of the state. All spills must be reported to the appropriate emergency management agency, and measures shall be taken immediately to prevent the pollution of waters of the state, including groundwater.
- 10) Slurry water pumped from work areas and excavations must be held in settling basins or treated by filtration prior to its discharge into surface waters. Water must be held in settling basins until at least as clear as the receiving waters. Settling basins shall not be located closer than 20 feet from the top bank of a stream. Settling basins and traps shall be properly designed according to the size of the drainage areas or volume of water to be treated.
- 11) Adverse impact to formally listed state or federal threatened or endangered species or their critical habitat, or to cultural, historical, or archeological features or sites is prohibited.
- 12) Prior to commencing work under this general permit any necessary authorization must be obtained by the applicant pursuant to applicable provisions of §404 of the *Clean Water Act* and §26a of *The Tennessee Valley Authority Act*.
- 13) Upon achievement of final grade, the disturbed streambank shall be stabilized with bioengineering methods, riprap or other suitable material. All other disturbed soils must be stabilized and re-vegetated within 30 days by sodding or seeding and mulching. Seed to be utilized shall include a combination of annual grains and grasses, legumes, and perennial grasses. Lime and fertilizer shall be applied as needed to achieve a vegetative cover.

Effective Date July 1, 2000

Expiration Date June 30, 2005

APPROVED: _____

Paul Davis, Director

